IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

WP(C).No. 20617 of 2007(D)

PETITIONER:

C.VASUDEVAN, S/O.NARAYANAN,
CONTRACTOR, EDAYOOR AMSOM DESOM, TIRUR TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA

RESPONDENTS:

1. THE EXCISE COMMISSIONER,
THIRUVANANTHAPURAM.

2. THE ASSISTANT EXCISE COMMISSIONER,
OFFICE OF THE ASSISTANT EXCISE COMMISSIONER,
CIVIL STATION, PALAKKAD.

3. THE CIRCLE INSPECTOR, (EXCISE),
CHITTOOR EXCISE RANGE, PALAKKAD DISTRICT.

4. ASHOK KUMAR, S/O.KRISHNAN,
PAKKATHUKALAM HOUSE, VANDITHAVALAM, CHITTOOR,
PALAKKAD DISTRICT.

5. SANTHOSH KUMAR, S/O.VASU,
MALLANKULAMBU, MUTHALAMADA, CHITTOOR, PALAKKAD.

6. KISHORE KUMAR, S/O.CHAMU,
KIZHAKKEPURA, KINAVALLOOR, PARALI, PALAKKAD DIST.

7. NANDESH, S/O.RAMAN, VALLANGIPADAM,
THATHAMANGALAM, CHITTOOR, PALAKKAD DISTRICT.

8. SWAMINATHAN, S/O.CHINNAN,
KANAKALATHALYAM, OONTHURPALLAM.

ADDL. 9. SELVAN, S/O. MANGAN,
PERUMCHIRA, KOLLANGODE,
PALAKKAD.

(IMPLEADED AS PER ORDER DT.19/12/2007 IN I.A.16877/2007)

R1 TO R3 BY GOVERNMENT PLEADER SMT.M.K.PUSHPALATHA.
R4 TO 48 BY ADV. SRI.M.G.KARTHIKEYAN
SRI.NIREESH MATHEW
R9 BY ADV.SRI.B.GOPAKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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W.P.(C) No. 20617 of 2007-D

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Dated this the 11th day of December, 2007

O R D E R

In view of the first paragraph of Ext.P4 letter dated 29/03/2000 and any further instructions in that regard for the subsequent years, the Excise Commissioner shall file an affidavit stating whether a fresh licence can be granted in relation to a building of which the licensee is not the owner, without valid consent in writing, given by the owner of the building in favour of the licensee, unless there is an order from any court or any competent authority to the effect that the licences can be renewed in favour of the licensee for the coming year. Such an affidavit shall be on record by 18/12/2007. The learned Government Pleader shall also obtain the files in relation to the issuance of the impugned licence.

Post on 18/12/2007.

Handover copy of this order to the learned Government Pleader also.

THOTTATHIL B. RADHAKRISHNAN,
Judge

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